

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION

ERNEST DALE IRVIN

PLAINTIFF

v.

CIVIL ACTION NO.: 3:10CV094-M-A

TAKE CARE HEALTH MISSISSIPPI, P.C.,  
SUE MORRISON, FNP, JENNIFER DAVIS, M.D.,  
TOYOTA MOTOR MANUFACTURING MISSISSIPPI, INC.,  
AND JOHN DOES 1-5

DEFENDANTS

**STIPULATION OF DISMISSAL OF TAKE CARE HEALTH MISSISSIPPI, P.C.,  
SUE MORRISON, FNP AND JENNIFER DAVIS, M.D.**

IT IS HEREBY stipulated by and among the Plaintiff and all remaining Defendants that all claims and contentions of liability alleged in the Complaint of the Plaintiff, Ernest Dale Irvin, filed in the above-styled and numbered cause against the Defendants, Take Health Mississippi, P.C., Sue Morrison, FNP, and Jennifer Davis, M.D., are hereby dismissed, with prejudice, pursuant to Rule 41(a)(1)(ii) of the FEDERAL RULES OF CIVIL PROCEDURE with each party to bear their own costs.

STIPULATED, this the 22<sup>nd</sup> day of June, 2011.

CHAPMAN, LEWIS & SWAN, PLLC  
Counsel for Plaintiff , Ernest Dale Irvin

BY: /s/ Dana J. Swan  
Dana J. Swan, MSB #8088

MITCHELL, MCNUTT & SAMS, P.A.  
Counsel for Defendant, Jennifer Davis, M.D.

BY: /s/ John G. Wheeler  
John G. Wheeler, MSB #8622

HOLLAND, RAY, UPCHURCH & HILLEN, P.A.  
Counsel for Defendants, Take Care Health  
Mississippi, P.C., Sue Morrisson, FNP

BY: /s/ Robert K. Upchurch  
Robert K. Upchurch, MSB #5769